

1 *Senate* BILL NO. 209  
 2 INTRODUCED BY E. Smith, Robert Stewart, Foster Nelson  
 3 Donovan

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A DEFINITION  
 5 FOR A CUSTOM COMBINE UNIT; SPECIFYING OVERHEIGHT PERMITS;  
 6 PROVIDING IDENTIFYING DEVICES; PROVIDING A CRIMINAL PENALTY  
 7 FOR VIOLATION; AND AMENDING SECTION 84-6015, R.C.M. 1947."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 84-6015, R.C.M. 1947, is amended to  
 11 read as follows:

12 "84-6015. Custom combiner's tax -- collection --  
 13 distribution -- not transferable. (1) In lieu of the taxes  
 14 required by section 84-6008, R.C.M. 1947, motor vehicle  
 15 license fees, Title 53, R.C.M. 1947, gross vehicle weight  
 16 fees ~~and~~, over-width and overheight permits, Title 32,  
 17 R.C.M. 1947, a nonresident engaged in the business of custom  
 18 combining who brings equipment into the state of Montana  
 19 shall pay a tax fee of forty dollars (\$40) per unit for a  
 20 period beginning July 1 and ending October 31. A unit shall  
 21 ~~be defined as~~ include:

- 22 (a) one (1) truck suitable for hauling grain,
- 23 (b) one (1) header trailer or one (1) combine trailer,
- 24 and
- 25 (c) pickup trucks and all other equipment, except

1 combines, used by a nonresident and brought into the state  
 2 as part of his business of custom combining.

3 (2) The tax fee required by this section shall be  
 4 collected by the department of highways. Upon payment of the  
 5 tax fee the department of highways shall provide a ~~prominent~~  
 6 sticker an identifying device to be displayed on each truck,  
 7 header trailer or combine trailer and other equipment used  
 8 by the nonresident in his business of custom combining in  
 9 the state of Montana, which ~~sticker device~~ sticker device shall be valid  
 10 for a period beginning July 1 and ending October 31.

11 (3) All tax fees collected under this section shall be  
 12 distributed not later than December 1 immediately following  
 13 the period of license as follows: sixty-two and one-half  
 14 percent (62-1/2%) to the county general fund in the county  
 15 in which the permittee declares the greatest amount of time  
 16 will be spent to operate, thirty-seven and one-half percent  
 17 (37-1/2%) to the earmarked revenue fund for the department  
 18 of highways.

19 (4) The identifying device devices and tax fee paid  
 20 for each ~~vehicle-in-a~~ unit shall not be transferable from  
 21 one vehicle to another or transferable on the sale or change  
 22 of ownership.

23 (5) Any owner or operator of any equipment included in  
 24 the unit definition in subsection (2) of this section who  
 25 violates any provision of this section is guilty of a

1 misdemeanor and shall be punished by a fine of not more than  
2 three hundred dollars (\$300), or by a sentence of not more  
3 than sixty (60) days in the county jail, or both."

-End-

Approved by Committee  
on Agriculture Livestock  
& Irrigation

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SENATE BILL NO. 209  
INTRODUCED BY *E. Smith Helstad Robert Forde Nelson*  
*Donner*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A DEFINITION FOR A CUSTOM COMBINE UNIT; SPECIFYING OVERHEIGHT PERMITS; PROVIDING IDENTIFYING DEVICES; PROVIDING A CRIMINAL PENALTY FOR VIOLATION; AND AMENDING SECTION 84-6015, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 84-6015, R.C.M. 1947, is amended to read as follows:

"84-6015. Custom combiner's tax -- collection -- distribution -- not transferable. (1) In lieu of the taxes required by section 84-6008, R.C.M. 1947, motor vehicle license fees, Title 53, R.C.M. 1947, gross vehicle weight fees and, over-width and overheight permits, Title 32, R.C.M. 1947, a nonresident engaged in the business of custom combining who brings equipment into the state of Montana shall pay a tax fee of forty dollars (\$40) per unit for a period beginning July 1 and ending October 31. A unit shall be defined as include:

- (a) one (1) truck suitable for hauling grain,
- (b) one (1) header trailer or one (1) combine trailer,
- and
- (c) pickup trucks and all other equipment, except

SECOND READING

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combines, used by a nonresident and brought into the state as part of his business of custom combining.

(2) The tax fee required by this section shall be collected by the department of highways. Upon payment of the tax fee the department of highways shall provide a prominent sticker an identifying device to be displayed on each truck, header trailer or combine trailer and other equipment used by the nonresident in his business of custom combining in the state of Montana, which sticker device shall be valid for a period beginning July 1 and ending October 31.

(3) All tax fees collected under this section shall be distributed not later than December 1 immediately following the period of license as follows: sixty-two and one-half percent (62-1/2%) to the county general fund in the county in which the permittee declares the greatest amount of time will be spent to operate, thirty-seven and one-half percent (37-1/2%) to the earmarked revenue fund for the department of highways.

(4) The identifying device devices and tax fee paid for each vehicle-in-a unit shall not be transferable from one vehicle to another or transferable on the sale or change of ownership.

(5) Any owner or operator of any equipment included in the unit definition in subsection (2) of this section who violates any provision of this section is guilty of a

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1 misdemeanor and shall be punished by a fine of not more than  
2 three hundred dollars (\$300), or by a sentence of not more  
3 than sixty (60) days in the county jail, or both.\*

-End-

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 2 INTRODUCED BY E. Smith, Kilstad, Echebur, Foster, Nelson  
 3 Donner

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23 (5) Any owner or operator of any equipment included in  
 24 the unit definition in subsection (2) of this section who  
 25 violates any provision of this section is guilty of a

1 misdemeanor and shall be punished by a fine of not more than  
2 three hundred dollars (\$300), or by a sentence of not more  
3 than sixty (60) days in the county jail, or both."

-End-

## 1 SENATE BILL NO. 209

2 INTRODUCED BY E. SMITH, KOLSTAD, ETCHART, FOSTER,

3 NELSON, CONOVER

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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A DEFINITION  
6 FOR A CUSTOM COMBINE UNIT; SPECIFYING OVERHEIGHT PERMITS;  
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-End-